

AGENDA MEMO

TO: Mayor & City Commission

AGENDA DATE: 12/13/2010

FROM: Faith G. Miller, City Manager

AGENDA ITEM: 8 - B

SUBJECT: Public Hearing - Ordinance No. 17-2010, Amending City Code Section 110.1202.05 (15) and (16), *Applications and proposals requiring public hearings*, that pertain to the level of review required for development applications, at second and final reading.

LOCATION:

N/A

BACKGROUND:

The existing criteria used to determine the process for considering development-related application approval that requires a public hearing before the Planning and Zoning Board (Board) and the City Commission has remained unchanged since 1999. These items include amendments to any element of the City's Comprehensive Plan, Land Development Code, Subdivision Regulations, Zoning Ordinance, zoning variances, conditional uses, capital improvement programs, environmental ordinances, design standards, planned unit developments and Developments of Regional Impact.

The City Commission recently expressed interest in finding effective ways to streamline the plan review and permitting process. Staff explored options to accomplish these goals and ensured that the City remained aligned with established planning principles designed to protect public health, safety, and welfare.

On September 15, 2010, the Planning and Zoning Board discussed this item and suggested that staff consider raising the Planning and Zoning Board review thresholds for final site plans from 5,000 square feet to 30,000 square feet for non-residential uses and from 25 lots to 200 lots for single family residential subdivisions; as well as to add 15 dwelling units per acre for multi-family residential use. Staff reviewed the proposed revisions and found that it is similar to criteria used throughout Florida.

On October 20, 2010, the Board recommended to approve

the revisions to Ordinance No. 17-2010, pertaining to the density and intensity thresholds that affect when development applications are reviewed by the Planning and Zoning Board. The City Commission approved Ordinance No. 17-2010 at first reading on November 15, 2010.

**ORIGINATING
DEPARTMENT:**

Planning and Development Services

SOURCE OF FUNDS:

N/A

COST:

N/A

REVIEWED BY:

City Attorney

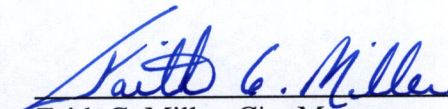
**STAFF
RECOMMENDATION
PRESENTED BY:**

Chris Bowley, Planning and Development Services Director
- Staff recommends that the City Commission approve Ordinance No. 17-2010, at second and final reading, to amend City Code Section 110.1202.05 (15) and (16).

**POTENTIAL
MOTION:**

"I hereby move to approve amending City Code Section 110.1202.05 (15) and (16), at second and final reading, as cited in the attached Ordinance No. 17-2010."

**AGENDA ITEM
APPROVED BY:**


Faith G. Miller, City Manager

ATTACHMENTS:

- Ordinance 17-2010

ORDINANCE NO. 17-2010

**AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA,
PERTAINING TO LEVEL OF DEVELOPMENT REVIEW;
AMENDING SUBPARAGRAPHS 110-1202.05(15) AND (16) OF
THE LAND DEVELOPMENT CODE OF THE CITY OF
DELTONA, FLORIDA; ALTERING THE LEVEL OF
PLANNING AND ZONING BOARD REVIEW REQUIRED
FOR CERTAIN DEVELOPMENT ACTIVITY; PROVIDING
FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE
DATE**

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELTONA,
FLORIDA.**

Section 1. Subparagraphs 110-1202.05(15) and (16) of the Land Development Code of the City of Deltona, Florida are hereby amended to read as follows:

1202.05. Applications and proposals requiring public hearings. Prior to the transmittal of an application or proposal to the city commission, the board shall hold one public hearing with due public notice on the following applications and proposals, whether initiated by the city or by other applicants:

...

(15) Development review final site plans for buildings over ~~5,000~~ 30,000 square feet in area under heating and cooling or developments over 15 dwelling units per acre; and

(16) Proposed subdivisions containing more than ~~25~~ 200 lots.

...

Section 2. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this ordinance which can be given effect without the invalid provision or application.

City of Deltona
Ordinance No. 17-2010
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Section 3. Effective Date. This Ordinance shall take effect immediately upon its final adoption by the City Commission, but shall not be applicable to pending applications.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
DELTONA, FLORIDA THIS _____ DAY OF _____, 2010.**

First Reading: _____

Advertised: _____

Second Reading: _____

BY: _____
JOHN C. MASIARCZYK, SR., Mayor

ATTEST:

JOYCE KENT, City Clerk

Approved as to form and legality
for use and reliance of the City of
Deltona, Florida

GARY J. COONEY, City Attorney